

DFTTERM,RUTHERFORD

**U.S. District Court
Northern District of Texas (Dallas)
CRIMINAL DOCKET FOR CASE #: 3:19-cr-00563-M-1**

Case title: USA v. Seekins

Date Filed: 11/06/2019

Date Terminated: 05/25/2021

Assigned to: Judge Barbara M. G.
Lynn

Appeals court case number:
21-10556 USCA5

Defendant (1)

Joshua Seekins

TERMINATED: 05/25/2021

represented by **Kevin Joel Page-FPD**

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TERMINATED: 05/28/2021

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TERMINATED: 05/28/2021

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Pending Counts

18 U.S.C. §§ 922(g)(1) and
924(a)(2) Possession of
Ammunition by a Convicted
Felon
(1s)

Disposition

BOP 70 months, S/R 3 years, MSA \$100

**Highest Offense Level
(Opening)**

Felony

Terminated Counts

18 USC §§ 922(g)(1) and
924(a)(2) Possession of a Firearm
ad Ammunition by a Convicted
Felon
(1)

Disposition

**Highest Offense Level
(Terminated)**

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Shane Read–DOJ**

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Date Filed	#	Docket Text
11/06/2019	<u>1</u>	INDICTMENT, with Forfeiture Notice, as to Joshua Seekins (1) count(s) 1. (mla) (Entered: 11/07/2019)
11/12/2019	<u>4</u>	(Document Restricted) APPLICATION FOR WRIT OF HABEAS CORPUS, ORDER, AND WRIT ISSUED as to Joshua Seekins. Person subject to writ must appear on 12/4/2019 at 9:00 AM. Issued Writ of Habeas Corpus Ad Prosequendum. Document access limited to the USA and the applicable defendant. (2 Certified copied hand-delivered to USMS) (Ordered by Chief Judge Barbara M. G. Lynn on 11/12/2019) (axm) (Entered: 11/13/2019)
12/05/2019	<u>5</u>	MOTION for Detention filed by USA as to Joshua Seekins (Read-DOJ, Shane) (Entered: 12/05/2019)
12/06/2019	<u>6</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Joshua Seekins. Federal Public Defender for Joshua Seekins appointed. (Ordered by Magistrate Judge Renee Harris Toliver on 12/6/2019) (mcrd) (Entered: 12/06/2019)
12/06/2019	<u>7</u>	ORDER OF DETENTION as to Joshua Seekins. (Ordered by Magistrate Judge Renee Harris Toliver on 12/6/2019) (mcrd) Modified on 12/9/2019 (mcrd). (Entered: 12/06/2019)

		12/06/2019)
12/06/2019	<u>9</u>	Minute Entry for proceedings held before Magistrate Judge Renee Harris Toliver: Initial Appearance as to Joshua Seekins held on 12/6/2019. Date of Arrest: 12/6/2019. Location interval set to: LC. Attorney Appearances: AUSA – Paul Yanowitch; Defense – Erin Brennan. (No exhibits) Time in Court – :03. (Court Reporter: Digital File) (axm) Modified hearing judge on 12/10/2019 (axm). (Entered: 12/10/2019)
12/06/2019	<u>10</u>	(Document Restricted) CJA 23 Financial Affidavit by Joshua Seekins. (axm) (Entered: 12/10/2019)
12/06/2019	<u>11</u>	WAIVER of Detention Hearing by Joshua Seekins. (axm) (Entered: 12/10/2019)
12/06/2019	<u>12</u>	Minute Entry for proceedings held before Magistrate Judge Renee Harris Toliver: Arraignment as to Joshua Seekins (1) Count 1 held on 12/6/2019. Plea entered by Joshua Seekins: Not Guilty on count(s) 1. Location interval set to: LC. Attorney Appearances: AUSA – Paul Yanowitch; Defense – Erin Brennan. (No exhibits) Time in Court – :01. (Court Reporter: Digital File) (axm) (Entered: 12/10/2019)
12/09/2019	<u>8</u>	NOTICE OF ATTORNEY APPEARANCE by Erin Leigh Brennan–FPD (Clerk to Set Designation as: Federal Public Defender Appointment) appearing for Joshua Seekins (Filer confirms contact info in ECF is current.) (Brennan–FPD, Erin) (Entered: 12/09/2019)
12/09/2019	<u>13</u>	Arrest Warrant Returned Executed on 12/6/2019 as to Joshua Seekins. (axm) (Entered: 12/10/2019)
12/10/2019	<u>14</u>	TRIAL SETTING ORDER as to Joshua Seekins: Jury Trial set for 2/18/2020 09:00 AM before Chief Judge Barbara M. G. Lynn. Motions due by 1/21/2020. Pretrial Conference set for 2/18/2020 08:30 AM before Chief Judge Barbara M. G. Lynn. Pretrial Materials due by 2/11/2020. Responses due by 1/28/2020. (Ordered by Chief Judge Barbara M. G. Lynn on 12/10/2019) (svc) (Entered: 12/10/2019)
01/28/2020	<u>15</u>	NOTICE of Publication of <i>Administrative Forfeiture</i> filed by USA as to Joshua Seekins (Read–DOJ, Shane) (Entered: 01/28/2020)
01/28/2020	<u>16</u>	Unopposed MOTION to Continue <i>Trial and Pretrial Deadlines</i> filed by Joshua Seekins (Attachments: # <u>1</u> Defendant's Acknowledgment of Facts Supporting Motion for Continuance, # <u>2</u> Proposed Order) (Brennan–FPD, Erin) (Entered: 01/28/2020)
01/29/2020	<u>17</u>	***VACATED PER <u>18</u> ORDER*** ORDER TO CONTINUE in the Interest of Justice as to Joshua Seekins. Pretrial Motions due by 4/20/2020. Pretrial Materials due by 5/11/2020. Responses due by 4/27/2020. Trial reset for 5/18/2020 09:00 AM before Chief Judge Barbara M. G. Lynn. Pretrial Conference reset for 5/18/2020 at 8:30 AM before Chief Judge Barbara M. G. Lynn. (Ordered by Chief Judge Barbara M. G. Lynn on 1/29/2020) (aaa) Modified on 1/30/2020 (ctf). (Entered: 01/29/2020)
01/30/2020	<u>18</u>	AMENDED ORDER ON MOTION FOR CONTINUANCE as to Joshua Seekins: The Order on Motion for Continuance [ECF # <u>17</u>] entered on 1/29/2020 is hereby VACATED. In light of the reasons stated in the Defendant's motion, the Court finds that the provisions of 18 U.S.C. § 3161(h) (7)(A) and (B)(iv) are satisfied and accordingly, the motion is GRANTED. It is therefore ordered that the trial of the case is reset to 5/26/2020 at 09:00 AM before Chief Judge Barbara M. G. Lynn. Pretrial Conference set for 5/26/2020 at 08:30 AM before Chief Judge Barbara M. G. Lynn. Pretrial Motions due by 4/27/2020. Responses due by 5/4/2020. Pretrial Materials

		due by 5/18/2020. (Ordered by Chief Judge Barbara M. G. Lynn on 1/30/2020) (svc) (Main Document 18 replaced on 1/30/2020) (ctf). NOTE: This order was replaced with a corrected PDF to vacate doc. <u>17</u> . Modified on 1/30/2020 (ctf). (Entered: 01/30/2020)
04/22/2020	<u>19</u>	Special Order 13–11 extending all continuances under Special Order Nos. 13–5 and 13–6 through May 31, 2020, except as otherwise specified in this Order. (Continuance in the interest of justice from 5/26/2020 until 5/31/2020) as to Joshua Seekins. (Ordered by Chief Judge Barbara M. G. Lynn on 4/22/2020) (cea) (Entered: 04/23/2020)
04/24/2020	<u>20</u>	Trial Setting Order as to Joshua Seekins: Jury Trial set for 6/22/2020 09:00 AM before Chief Judge Barbara M. G. Lynn. Motions due by 5/26/2020. Pretrial Conference set for 6/22/2020 08:30 AM before Chief Judge Barbara M. G. Lynn. Pretrial Materials due by 6/15/2020. Responses due by 6/1/2020. (Ordered by Chief Judge Barbara M. G. Lynn on 4/24/2020) (ndt) (Entered: 04/27/2020)
06/05/2020	<u>21</u>	Unopposed MOTION to Continue <i>Trial and Pretrial Deadlines</i> filed by Joshua Seekins (Attachments: # <u>1</u> Proposed Order) (Brennan–FPD, Erin) (Entered: 06/05/2020)
06/08/2020	<u>22</u>	ORDER ON MOTION FOR CONTINUANCE as to Joshua Seekins: Before the Court is the Defendant JOSHUA SEEKINS'S (1) Unopposed Motion for Continuance of Trial and Pretrial Materials Deadline, filed on 6/5/2020 (Doc. No. <u>21</u>). In light of the reasons stated in the Defendant's motion, the Court finds that the provisions of 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) are satisfied and accordingly, the motion is GRANTED. It is therefore ordered that the trial of the case is reset to 6/29/2020 at 09:00 AM before Chief Judge Barbara M. G. Lynn. Pretrial Conference set for 6/29/2020 at 08:30 AM before Chief Judge Barbara M. G. Lynn. Any motions for continuance will be filed by 6/15/2020. Pretrial Materials due by 6/22/2020. (Ordered by Chief Judge Barbara M. G. Lynn on 6/8/2020) (ctf) (Entered: 06/08/2020)
06/08/2020	<u>23</u>	ELECTRONIC Minute Entry for proceedings held before Chief Judge Barbara M. G. Lynn: Hearing held by video teleconference on 6/8/2020 as to Joshua Seekins: The parties discussed the trial and trial protocols. Attorney Appearances: AUSA – Shane Read; Defense – Erin Brennan – FPD. (No exhibits) Time in Court – :15. (Court Reporter: Debbie Kriegshauser) (chmb) (Entered: 06/08/2020)
06/09/2020	<u>24</u>	NOTICE OF ATTORNEY APPEARANCE by John M Nicholson–FPD (Clerk to Set Designation as: Federal Public Defender Appointment) appearing for Joshua Seekins (Filer confirms contact info in ECF is current.) (Nicholson–FPD, John) (Entered: 06/09/2020)
06/10/2020	<u>25</u>	NOTICE OF ATTORNEY APPEARANCE by Amber Michelle Grand–DOJ appearing for USA . (Clerk to set designation as: Assistant US Attorney). (Grand–DOJ, Amber) (Entered: 06/10/2020)
06/10/2020	<u>26</u>	Designation of Experts by USA (Read–DOJ, Shane) (Entered: 06/10/2020)
06/10/2020	<u>27</u>	Court Request for Recusal: The referral judge for this case has been reassigned via random assignment to U.S. Magistrate Judge Rebecca Rutherford. U.S. Magistrate Judge David L. Horan is no longer assigned to the case. (cea) (Entered: 06/11/2020)
06/14/2020	<u>28</u>	

		NOTICE OF ATTORNEY APPEARANCE by Gary C Tromblay–DOJ appearing for USA . (Clerk to set designation as: Assistant US Attorney). (Tromblay–DOJ, Gary) (Entered: 06/14/2020)
06/14/2020	<u>29</u>	Proposed Voir Dire by USA as to Joshua Seekins (Tromblay–DOJ, Gary) (Entered: 06/14/2020)
06/14/2020	<u>30</u>	Proposed Jury Instructions filed by USA as to Joshua Seekins (Tromblay–DOJ, Gary) (Entered: 06/14/2020)
06/16/2020	<u>31</u>	NOTICE of 404(b) Evidence filed by USA as to Joshua Seekins (Tromblay–DOJ, Gary) (Entered: 06/16/2020)
06/16/2020	<u>32</u>	Unopposed MOTION for Leave to File Defendant's Notice of Expert Testimony filed by Joshua Seekins (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Defendant's Notice of Expert Testimony) (Brennan–FPD, Erin) (Entered: 06/16/2020)
06/17/2020	<u>33</u>	ORDER granting <u>32</u> Motion for Leave to File. (Unless the document has already been filed, clerk to enter the document as of the date of this order.) as to Joshua Seekins (1). (Unless the document has already been filed, clerk to enter the document as of the date of this order.) (Ordered by Chief Judge Barbara M. G. Lynn on 6/17/2020) (ndt) (Entered: 06/18/2020)
06/17/2020	<u>34</u>	Defendant's Notice of Experts Testimony as to Joshua Seekins. (ndt) (Entered: 06/18/2020)
06/19/2020	<u>35</u>	AMENDED SPECIAL ORDER NO. 13–5 as to Joshua Seekins: Given the significant increase in reported COVID–19 cases in the Dallas Division, civil and criminal jury trials scheduled to be held in the Dallas Division between the date of this Order and through 7/17/2020, are hereby continued. (Ordered by Chief Judge Barbara M. G. Lynn on 6/19/2020) (ctf) (Entered: 06/19/2020)
06/23/2020	<u>36</u>	SUPERSEDING INDICTMENT, with Forfeiture Notice, as to Joshua Seekins (1) count(s) 1s. (mla) (Entered: 06/24/2020)
06/29/2020	<u>38</u>	Trial Setting Order as to Joshua Seekins: The Court resets the jury trial of this case to 8/3/2020 at 09:00 AM before Chief Judge Barbara M. G. Lynn. Motions due by 7/6/2020. Pretrial Conference set for 8/3/2020 at 08:30 AM before Chief Judge Barbara M. G. Lynn. Pretrial Materials due by 7/27/2020. Responses due by 7/13/2020. (Ordered by Chief Judge Barbara M. G. Lynn on 6/29/2020) (ykp) (Entered: 06/30/2020)
07/06/2020	<u>39</u>	NOTICE Amended 404(b) Notice re: <u>31</u> Notice (Other) filed by USA as to Joshua Seekins (Tromblay–DOJ, Gary) (Entered: 07/06/2020)
07/06/2020	<u>40</u>	First MOTION to Dismiss <i>Superseding Indictment</i> filed by Joshua Seekins (Brennan–FPD, Erin) (Entered: 07/06/2020)
07/07/2020	<u>41</u>	Proposed Jury Instructions filed by USA as to Joshua Seekins (Tromblay–DOJ, Gary) (Entered: 07/07/2020)
07/07/2020	<u>42</u>	Proposed Voir Dire by USA as to Joshua Seekins (Tromblay–DOJ, Gary) (Entered: 07/07/2020)
07/07/2020	<u>43</u>	GOVERNMENT'S AMENDED NOTICE OF EXPERT TESTIMONY by USA (Read–DOJ, Shane) Modified title on 7/7/2020 (ctf). (Entered: 07/07/2020)

07/07/2020	<u>44</u>	EXHIBIT LIST by USA as to Joshua Seekins (Read-DOJ, Shane) (Entered: 07/07/2020)
07/07/2020	<u>45</u>	WITNESS LIST by USA as to Joshua Seekins (Read-DOJ, Shane) (Entered: 07/07/2020)
07/13/2020	<u>46</u>	Designation of Experts (Brennan-FPD, Erin) (Entered: 07/13/2020)
07/13/2020	<u>47</u>	NOTICE <i>Defendant's Response to Government's Notice of Expert Testimony</i> as to Joshua Seekins (Attachments: # <u>1</u> Exhibit(s)) (Brennan-FPD, Erin) (Entered: 07/13/2020)
07/20/2020	<u>49</u>	Brief/Memorandum in Support by Joshua Seekins re <u>40</u> First MOTION to Dismiss <i>Superseding Indictment</i> (Brennan-FPD, Erin) (Entered: 07/20/2020)
07/22/2020	<u>53</u>	NOTICE <i>of Waiver of Appearance at Arraignment Hearing and Entry of Plea of Not Guilty</i> as to Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/22/2020)
07/23/2020	<u>54</u>	ORDER as to Joshua Seekins: This Court finds that the Defendant and his counsel have signed a waiver and this Court hereby accepts the waiver of appearance at an arraignment hearing, and a plea of not guilty is entered on his behalf. (Ordered by Chief Judge Barbara M. G. Lynn on 7/23/2020) (ndt) (Entered: 07/23/2020)
07/23/2020	<u>55</u>	ORDER as to Joshua Seekins: The Court issues this Order regarding protocols for the upcoming jury trial in this case. (Ordered by Chief Judge Barbara M. G. Lynn on 7/23/2020) (ndt) (Entered: 07/23/2020)
07/24/2020	<u>56</u>	Second Amended Designation of Experts by USA (Read-DOJ, Shane) Modified title on 7/27/2020 (awc). (Entered: 07/24/2020)
07/24/2020	<u>57</u>	WITNESS LIST by USA as to Joshua Seekins (Read-DOJ, Shane) (Entered: 07/24/2020)
07/27/2020	<u>58</u>	MOTION to Stipulate ("Old Chief") filed by Joshua Seekins (Attachments: # <u>1</u> Proposed Order) (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>59</u>	EXHIBIT LIST by Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>60</u>	WITNESS LIST by Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>61</u>	Proposed Voir Dire by Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>62</u>	Proposed Jury Instructions filed by Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>63</u>	NOTICE <i>Defendant's Request For A Jury Determination As To Forfeiture</i> as to Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>64</u>	MOTION in Limine <i>And Request for Beechum Findings</i> filed by Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/27/2020	<u>65</u>	MOTION To Allow Prohibited Items Into Federal Building filed by Joshua Seekins (Brennan-FPD, Erin) (Entered: 07/27/2020)
07/30/2020	<u>66</u>	Amended EXHIBIT LIST by USA as to Joshua Seekins (Read-DOJ, Shane) Modified title on 7/31/2020 (awc). (Entered: 07/30/2020)
07/30/2020	<u>68</u>	ORDER as to Joshua Seekins: Pursuant to this order, while the jury is kept together

		and not allowed to separate, the reasonable cost of meals incurred by the jury during court recesses will be paid by the clerk of court in compliance with juror fee regulations issued by the Judicial Conference of the United States. (Ordered by Chief Judge Barbara M. G. Lynn on 7/30/2020) (axm) (Entered: 07/31/2020)
07/31/2020	<u>67</u>	EXHIBIT LIST by USA as to Joshua Seekins (Read-DOJ, Shane) (Entered: 07/31/2020)
08/01/2020	<u>69</u>	EXHIBIT LIST by Joshua Seekins (Brennan-FPD, Erin) (Entered: 08/01/2020)
08/03/2020	<u>71</u>	Defendant's Motion to Stipulate (Old Chief) filed by Joshua Seekins (ykp) (Entered: 08/04/2020)
08/03/2020	<u>72</u>	ORDER as to Joshua Seekins: It is hereby ORDERED that the criminal jury questionnaires completed in this case prior to Voir Dire on 8/3/2020 will remain sealed until further Order of this Court and shall not be opened except upon Order of this or a superior Court. (Ordered by Chief Judge Barbara M. G. Lynn on 8/3/2020) (axm) (Entered: 08/04/2020)
08/03/2020	74	ELECTRONIC Minute Entry for proceedings held before Chief Judge Barbara M. G. Lynn: Jury Trial Begun on 8/3/2020, Jury Selection held on 8/3/2020. Day #1 of Jury Trial: Preliminary matters taken up and pending motions ruled upon. Jury panel seated and voir dire conducted in three separate sessions. The Court excused jurors for cause. Attorneys made their peremptory strikes. 12 jurors and 3 alternates selected. Court adjourned until Tuesday, August 4, 2020, at 8:30 a.m. Attorney Appearances: AUSA – Shane Read, Gary Tromblay. Defense: Erin Brennan, John Nicholson, Jason Hawkins. (Court Reporter: Deborah Kriegshauser). Time in Court – 5:47. (chmb) (Entered: 08/04/2020)
08/04/2020	<u>73</u>	(Document Restricted) Jury Roll as to Joshua Seekins (This document is for district court access only and will not be included in any ROA that may later be prepared.) (axm) (Entered: 08/04/2020)
08/04/2020	75	ELECTRONIC Minute Entry for proceedings held before Chief Judge Barbara M. G. Lynn: Day #2 of Jury Trial held on 8/4/2020. Jurors seated and sworn. The parties made opening statements. The Court admitted exhibits to which there was no objection. The Government presented its case in chief and rested. The Court heard and denied the Defendant's Rule 29 motion. The Defense presented its case in chief and rested. The Court heard and denied the Defendant's renewed Rule 29 motion. The Court held a charge conference. Court adjourned until Wednesday, August 5, 2020, at 11:45 a.m. Attorney Appearances: AUSA – Shane Read, Gary Tromblay. Defense: Erin Brennan, John Nicholson. (Court Reporter: Deborah Kriegshauser). Time in Court – 6:35. (chmb) (Entered: 08/04/2020)
08/05/2020	<u>76</u>	Jury Charge as to Joshua Seekins. Signed by Chief Judge Barbara M. G. Lynn on 8/5/2020. (axm) (Entered: 08/06/2020)
08/05/2020	78	ELECTRONIC Minute Entry for proceedings held before Chief Judge Barbara M. G. Lynn: Day #3 of Jury Trial held on 8/5/2020. The Court read the Court's Charge to the Jury. The parties presented closing arguments. The jury deliberated and reached a verdict. The Court read the Verdict of the Jury. Attorney Appearances: AUSA – Shane Read, Gary Tromblay. Defense – Erin Brennan, John Nicholson. (Court Reporter: Deborah Kriegshauser). Time in Court – 2:15. (chmb) (Entered: 08/06/2020)

08/06/2020	<u>77</u>	JURY VERDICT as to Joshua Seekins (1) Guilty on Count 1s. (axm) (Entered: 08/06/2020)
08/06/2020	<u>79</u>	SCHEDULING ORDER FOR SENTENCING as to Joshua Seekins: Presentence Investigation Report due by 11/16/2020. Objections to Presentence Investigation Report due by 11/30/2020. Presentence Investigation Addendum due by 12/14/2020. Objections to Presentence Investigation Addendum due by 12/21/2020. Any motions for downward departure and sentencing memoranda must now be electronically filed on or before 1/4/2021. Character letters shall be e-mailed directly to the Court Coordinator, Alicyn Anthony, at Alicyn_Anthony@txnd.uscourts.gov, or mailed or hand delivered on or before 1/4/2021. Sentencing set for 1/8/2021 at 09:00 AM before Chief Judge Barbara M. G. Lynn. (Ordered by Chief Judge Barbara M. G. Lynn on 8/6/2020) (mla) (Entered: 08/06/2020)
08/06/2020	<u>80</u>	Certification of Trial Exhibits as to Joshua Seekins (ykp) (Entered: 08/07/2020)
11/09/2020	82	ELECTRONIC NOTICE OF HEARING as to Joshua Seekins: Sentencing is reset to 1/7/2021 01:30 PM before Chief Judge Barbara M. G. Lynn. All other deadlines will remain the same. (chmb) (Entered: 11/09/2020)
12/29/2020	<u>84</u>	Unopposed MOTION to Continue <i>Sentencing Hearing and Related Deadlines</i> filed by Joshua Seekins (Attachments: # <u>1</u> Proposed Order) (Brennan-FPD, Erin) (Entered: 12/29/2020)
12/30/2020	85	ELECTRONIC ORDER granting <u>84</u> Motion to Continue as to Joshua Seekins (1): Objections to Presentence Investigation Report due by 3/18/2021. Presentence Investigation Addendum due by 4/1/2021. Objections to Presentence Investigation Addendum due by 4/8/2021. Any motions for downward departure must now be electronically filed on or before 4/12/2021. Sentencing memoranda and character letters shall be received by the Court on or before 4/12/2021. No courtesy copies are required. Questions relating to this Order are to be directed to Alicyn Anthony, at Alicyn_Anthony@txnd.uscourts.gov, (214-753-2421). Sentencing set for 4/22/2021 01:30 PM before Chief Judge Barbara M. G. Lynn. (Ordered by Chief Judge Barbara M. G. Lynn on 12/30/2020) (chmb) (Entered: 12/30/2020)
04/19/2021	88	ELECTRONIC NOTICE CANCELLING HEARING as to Joshua Seekins: Due to the Court being in trial, the sentencing hearing is cancelled and will be reset by separate Order. (chmb) (Entered: 04/19/2021)
04/22/2021	89	ELECTRONIC Amended Sentencing Scheduling Order as to Joshua Seekins: Any motions for downward departure must now be electronically filed on or before 5/18/2021. Sentencing memoranda and character letters shall be received by the Court on or before 5/18/2021. No courtesy copies are required. Questions relating to this Order are to be directed to Alicyn Anthony, at Alicyn_Anthony@txnd.uscourts.gov, (214-753-2421). Sentencing set for 5/25/2021 09:30 AM before Chief Judge Barbara M. G. Lynn. (Ordered by Chief Judge Barbara M. G. Lynn on 4/22/2021) (chmb) (Entered: 04/22/2021)
05/25/2021	90	ELECTRONIC Minute Entry for proceedings held before Chief Judge Barbara M. G. Lynn: Sentencing held on 5/25/2021 for Joshua Seekins (1) – Count 1s: The Defendant is sentenced to 70 months BOP, followed by a 3-year term of supervised release. The Defendant is ordered to pay a \$100 MSA. Attorney Appearances: AUSA – Shane Read; Defense – Erin Brennan. (No exhibits) Time in Court – :18. (Court Reporter: Debbie Kriegshauser) (USPO Whitfield.) (chmb) (Entered: 05/25/2021)

05/25/2021	<u>91</u>	JUDGMENT as to Joshua Seekins (1), Count(s) 1s, BOP 70 months, S/R 3 years, MSA \$100. Pursuant to LR 79.2 and LCrR 55.2, exhibits may be claimed during the 60-day period following final disposition (to do so, follow the procedures found at Exhibit Guide). The clerk will discard exhibits that remain unclaimed after the 60-day period without additional notice. (Clerk to notice any party not electronically noticed.) (Ordered by Chief Judge Barbara M. G. Lynn on 5/25/2021) (mjr) (Entered: 05/27/2021)
05/28/2021	<u>93</u>	NOTICE OF APPEAL to the Fifth Circuit as to <u>91</u> Judgment,, by Joshua Seekins. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. IMPORTANT ACTION REQUIRED: Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions here . (Exception: This requirement does not apply to a Defendant proceeding pro se.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Brennan-FPD, Erin) (Entered: 05/28/2021)
05/28/2021	<u>94</u>	Notice of Substitution of Counsel on behalf Federal Public Defender. Attorney Kevin Joel Page-FPD added in case as to Joshua Seekins. (Clerk to set designation as: Federal Public Defender.) (If sealed documents that you are authorized to see were previously filed by U.S. Pretrial Services or U.S. Probation, you will require assistance to gain access to them and any related filings. Please call the clerk at 214.753.2240 during business hours to request access.) (Page-FPD, Kevin) (Entered: 05/28/2021)
06/07/2021		USCA Case Number as to Joshua Seekins 21-10556 for <u>93</u> Notice of Appeal filed by Joshua Seekins. (ajb) (Entered: 06/07/2021)
06/21/2021	<u>95</u>	Transcript Order Form: re <u>93</u> Notice of Appeal,, transcript requested for 6/8/2020 trial and trial protocols hearing, 8/3/2020 voir dire, 8/4/2020 opening statements and charge conference, 8/5/2020 closing arguments and jury instructions, 5/25/2021 opinion of the court and sentencing, all proceedings on the record during the course of the trial (Court Reporter: Debbie Kriegshauser.) Payment method: Other Reminder to appellant: this document must also be filed with the appeals court. (Page-FPD, Kevin) (Entered: 06/21/2021)
07/23/2021	<u>96</u>	Notice of Filing of Official Electronic Transcript of Status Conference Proceedings as to Joshua Seekins held on June 8, 2020 before Judge Barbara M.G. Lynn. Parties are notified of their duty to review and request redaction of the transcript. See Misc Order (MO) 61 and Special Order (SO) 19-1 . If the transcript contains information that should be redacted under SO 19-1, contact the Operations Assistance Team at (214)753-2240 immediately. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a Redaction Request – Transcript within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (10 pages) Court Reporter/Transcriber Debbie Kriegshauser, Telephone number (214) 753-2325. A copy of the transcript may be purchased from the court reporter or viewed at the office of the clerk.

		Redaction Request under SO 19–1, due immediately. Redaction Request due 8/13/2021. Redacted Transcript Deadline set for 8/23/2021. Release of Transcript Restriction set for 10/21/2021. (dak) (Entered: 07/23/2021)
07/23/2021	<u>98</u>	Notice of Filing of Official Electronic Transcript of Jury Trial – Volume I Proceedings as to Joshua Seekins held on August 4, 2020 before Judge Barbara M.G. Lynn. Parties are notified of their duty to review and request redaction of the transcript. See <u>Misc Order (MO) 61</u> and <u>Special Order (SO) 19–1</u> . If the transcript contains information that should be redacted under SO 19–1, contact the Operations Assistance Team at (214)753–2240 immediately. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a <u>Redaction Request – Transcript</u> within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (230 pages) Court Reporter/Transcriber Debbie Kriegshauser, Telephone number (214) 753–2325. A copy of the transcript may be purchased from the court reporter or viewed at the office of the clerk. Redaction Request under SO 19–1, due immediately. Redaction Request due 8/13/2021. Redacted Transcript Deadline set for 8/23/2021. Release of Transcript Restriction set for 10/21/2021. (dak) (Entered: 07/23/2021)
07/23/2021	<u>99</u>	Notice of Filing of Official Electronic Transcript of Jury Trial – Volume II Proceedings as to Joshua Seekins held on August 5, 2020 before Judge Barbara M.G. Lynn. Parties are notified of their duty to review and request redaction of the transcript. See <u>Misc Order (MO) 61</u> and <u>Special Order (SO) 19–1</u> . If the transcript contains information that should be redacted under SO 19–1, contact the Operations Assistance Team at (214)753–2240 immediately. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a <u>Redaction Request – Transcript</u> within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (61 pages) Court Reporter/Transcriber Debbie Kriegshauser, Telephone number (214) 753–2325. A copy of the transcript may be purchased from the court reporter or viewed at the office of the clerk. Redaction Request under SO 19–1, due immediately. Redaction Request due 8/13/2021. Redacted Transcript Deadline set for 8/23/2021. Release of Transcript Restriction set for 10/21/2021. (dak) (Entered: 07/23/2021)
07/23/2021	<u>100</u>	Notice of Filing of Official Electronic Transcript of Sentencing Proceedings as to Joshua Seekins held on May 25, 2021 before Judge Barbara M.G. Lynn. Parties are notified of their duty to review and request redaction of the transcript. See <u>Misc Order (MO) 61</u> and <u>Special Order (SO) 19–1</u> . If the transcript contains information that should be redacted under SO 19–1, contact the Operations Assistance Team at (214)753–2240 immediately. If the transcript contains personal identifiers that must be redacted under MO 61, Fed.R.Civ.P. 5.2 or Fed.R.Crim.P. 49.1, or if the transcript contains the name of a minor child victim or a minor child witness that must be redacted under 18 U.S.C. § 3509, file a <u>Redaction Request – Transcript</u> within 21 days. If no action is taken, the entire transcript will be made available through PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed. (12 pages) Court Reporter/Transcriber Debbie Kriegshauser, Telephone number (214) 753–2325. A copy of the transcript

		may be purchased from the court reporter or viewed at the office of the clerk. Redaction Request under SO 19–1, due immediately. Redaction Request due 8/13/2021. Redacted Transcript Deadline set for 8/23/2021. Release of Transcript Restriction set for 10/21/2021. (dak) (Entered: 07/23/2021)
07/28/2021	<u>101</u>	Electronic Copy of Admitted Hearing or Trial Exhibit(s) (Government's Trial Exhibits 1–15, 18, 19, 36–39) as to Joshua Seekins re: <u>93</u> Notice of Appeal. (chmb) (Entered: 07/28/2021)
07/28/2021	<u>102</u>	Electronic Copy of Admitted Hearing or Trial Exhibits (Defendant's Trial Exhibits 1–11, 16, 21–42, 51–53) as to Joshua Seekins re: <u>93</u> Notice of Appeal. (chmb) (Entered: 07/28/2021)
07/29/2021		Record on Appeal for USCA5 21–10556 (related to <u>93</u> appeal) as to Joshua Seekins: Record consisting of: 1 ECF electronic record on appeal (eROA) is certified, 5 Volume(s) electronic transcript, Sealed or ex parte electronic document number(s): 3, 4, 10, 48, 50, 51, 52, 70 (circuit approval is required for access), 1 Electronic Presentence Report/SOR certified to USCA. PLEASE NOTE THE FOLLOWING: Licensed attorneys must have filed an appearance in the USCA5 case and be registered for electronic filing in the USCA5 to access the paginated eROA in the USCA5 ECF system. (Take these steps immediately if you have not already done so. Once you have filed the notice of appearance and/or USCA5 ECF registration, it may take up to 3 business days for the circuit to notify the district clerk that we may grant you access to the eROA in the USCA5 ECF system.) To access the paginated record, log in to the USCA5 ECF system, and under the Utilities menu, select Electronic Record on Appeal. Pro se litigants may request a copy of the record by <u>contacting the appeals deputy</u> in advance to arrange delivery. (ajb) (Entered: 07/29/2021)
03/18/2022	<u>103</u>	Record on Appeal for USCA5 21–10556 (related to <u>93</u> appeal) as to Joshua Seekins: Record consisting of: 1 Volume(s) or container(s) of trial or hearing original exhibits (1 USB Drive – Exhibits 11, 14, 16, 39) transmitted to USCA5. Shipped: FedEx 7763 3710 6754. (axm) (Entered: 03/18/2022)
08/30/2022	<u>104</u>	Appeal Record Returned as to Joshua Seekins: 1 USB Drive returned. (axm) (Entered: 09/01/2022)
11/11/2022	<u>105</u>	Opinion of USCA in accordance with USCA judgment re <u>93</u> Notice of Appeal filed by Joshua Seekins. (svc) (Entered: 11/14/2022)
11/11/2022	<u>106</u>	JUDGMENT/MANDATE of USCA as to <u>93</u> Notice of Appeal filed by Joshua Seekins. IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED. (svc) (Entered: 11/14/2022)
01/12/2023		Notice Regarding Disposition of Trial/Hearing Exhibits Pursuant to Local Court Rule CR 55.2(b) as to Joshua Seekins. 1 USB Drive scheduled for destruction 14 days from the date of this notice unless claimed. —Signed by Deputy Clerk S VanCamp. (svc) (Entered: 01/12/2023)
01/12/2023	107	Return of Exhibits to Joel Page. No exhibits remain in clerk custody. (EXH–ADM flag removed) Exhibits offered by Joshua Seekins. (axm) (Entered: 01/12/2023)
06/27/2023	<u>108</u>	Received letter from USCA5: SUPREME COURT ORDER received denying petition for writ of certiorari (svc) (Entered: 06/27/2023)
03/05/2025	<u>109</u>	

		<p>ORDER TRANSFERRING PROBATION/SUPERVISED RELEASE JURISDICTION as to Joshua Seekins pursuant to 18 USC 3605 with the records of this court TO the US District Court for Western District of Virginia FROM Northern District of Texas, Dallas Division upon order accepting jurisdiction. (Ordered by Senior Judge Barbara M. G. Lynn on 1/8/2025) (cfk) (Entered: 03/05/2025)</p>
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ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED
2019 NOV -6 PM 3:59

DEPUTY CLERK *RL*

UNITED STATES OF AMERICA

NO.

v.

JOSHUA SEEKINS

3-19CR-563-M

INDICTMENT

The Grand Jury charges:

Count One

Possession of a Firearm and Ammunition by a Convicted Felon
(Violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about June 17, 2019, in the Dallas Division of the Northern District of Texas, the defendant, **Joshua Seekins**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense, did knowingly possess, in and affecting interstate and foreign commerce, a firearm and ammunition, to wit: an Orion, 12 gauge flare launcher, modified to accept conventional shotgun cartridges, bearing no serial number; and one round of Monarch brand 12 gauge shotgun ammunition.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Forfeiture Notice

(18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c))

Upon conviction for the offense alleged in Count One of this Indictment, and pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the defendant, **Joshua Seekins**, shall forfeit to the United States of America any firearm and ammunition involved in the commission of the offense, including, but not limited to, the following:

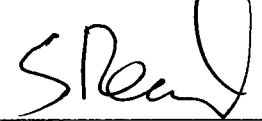
- (1) an Orion, 12 gauge flare launcher, modified to accept conventional shotgun cartridges, bearing no serial number;
- (2) one round of Monarch brand 12 gauge shotgun ammunition; and
- (3) any other ammunition recovered with the firearm.

A TRUE BILL:



FOREPERSON

ERIN NEALY COX
UNITED STATES ATTORNEY



SHANE READ
Assistant United States Attorney
Texas Bar No. 16623950
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Tel: 214-659-8688
Fax: 214-659-8805
Email: shane.read@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

JOSHUA SEEKINS

INDICTMENT

18 U.S.C. §§ 922(g)(1) and 924(a)(2))
Possession of a Firearm and Ammunition by a Convicted Felon
(Count 1)

18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c))
Forfeiture Notice

1 Count

A true bill rendered

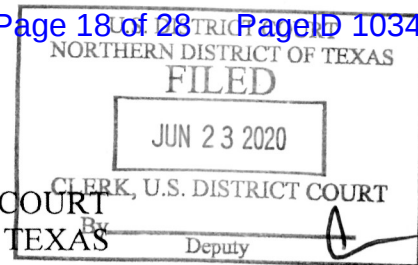
DALLAS


FOREPERSON

Filed in open court this 6 day of November, 2019.

Warrant to be Issued


UNITED STATES MAGISTRATE JUDGE
No Criminal Matter Pending



ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

NO. 3:19-CR-563-M

v.

(Supersedes Indictment returned
on November 6, 2019)

JOSHUA SEEKINS

SUPERSEDING INDICTMENT

The Grand Jury charges:

Count One

Possession of Ammunition by a Convicted Felon
(Violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about June 17, 2019, in the Dallas Division of the Northern District of Texas, the defendant, **Joshua Seekins**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense, did knowingly possess, in and affecting interstate and foreign commerce, ammunition, to wit: one Monarch brand 12 gauge shotgun cartridge and one Winchester brand 12 gauge shotgun cartridge.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Forfeiture Notice
(18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c))

Upon conviction for the offense alleged in Count One of this Superseding Indictment, and pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the defendant, **Joshua Seekins**, shall forfeit to the United States of America any firearm and ammunition involved in the commission of the offense, including, but not limited to, the following:

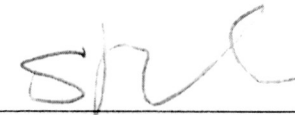
- (1) one Monarch brand 12 gauge shotgun cartridge;
- (2) one Winchester brand 12 gauge shotgun cartridge; and
- (3) an orange-colored Orion 12 gauge flare launcher, bearing no serial number, which as modified is a “firearm” under 18 U.S.C. § 921(a)(3).

A TRUE BILL:



FOREPERSON

ERIN NEALY COX
UNITED STATES ATTORNEY



SHANE READ
Assistant United States Attorney
Texas Bar No. 16623950
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Tel: 214-659-8688
Fax: 214-659-8805
Email: shane.read@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

JOSHUA SEEKINS

SUPERSEDING INDICTMENT

18 U.S.C. §§ 922(g)(1) and 924(a)(2))
Possession of Ammunition by a Convicted Felon
(Count 1)

18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)
Forfeiture Notice

1 Count

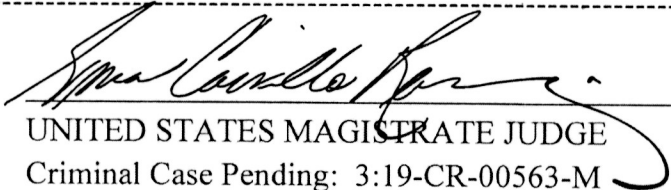
A true bill rendered


DALLAS

FOREPERSON

Filed in open court this 23rd day of June, 2020.

Defendant in Federal Custody since 12/04/2019


UNITED STATES MAGISTRATE JUDGE
Criminal Case Pending: 3:19-CR-00563-M

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

UNITED STATES OF AMERICA

v.

JOSHUA SEEKINS

Defendant.

§ JUDGMENT IN A CRIMINAL CASE

§

§

§ Case Number: 3:19-CR-00563-M(1)

§ USM Number: 11982-084

§ Erin Leigh Brennan

§ Defendant's Attorney

THE DEFENDANT:

<input type="checkbox"/>	pleaded guilty to count(s)	
<input type="checkbox"/>	pleaded guilty to count(s) before a U.S. Magistrate Judge, which was accepted by the court.	
<input type="checkbox"/>	pleaded nolo contendere to count(s) which was accepted by the court	
<input checked="" type="checkbox"/>	was found guilty on count(s) after a plea of not guilty	Count 1 of the Superseding Indictment, filed June 23, 2020.

The defendant is adjudicated guilty of these offenses:

Title & Section / Nature of OffenseOffense EndedCount

18 U.S.C. §§ 922(g)(1) and 924(a)(2) Possession of Ammunition by a Convicted Felon

06/17/2019

1s

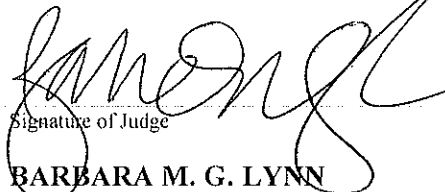
The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s)
- ☐ The Original Indictment is dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

May 25, 2021

Date of Imposition of Judgment



Signature of Judge

BARBARA M. G. LYNN

CHIEF UNITED STATES DISTRICT JUDGE

Name and Title of Judge

May 25, 2021

Date

DEFENDANT: JOSHUA SEEKINS
CASE NUMBER: 3:19-CR-00563-M(1)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

SEVENTY (70) MONTHS.

This sentence shall run concurrently with any sentence imposed in Case Nos. F-1930896 and F-1930967, pending in the Dallas County Criminal District Court 4, as they are related to the instant offense.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at ☐ a.m. ☐ p.m. on

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By
DEPUTY UNITED STATES MARSHAL

DEFENDANT: JOSHUA SEEKINS
CASE NUMBER: 3:19-CR-00563-M(1)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: **THREE (3) YEARS.**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the Court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

You must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

DEFENDANT: JOSHUA SEEKINS
CASE NUMBER: 3:19-CR-00563-M(1)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: JOSHUA SEEKINS
CASE NUMBER: 3:19-CR-00563-M(1)

SPECIAL CONDITIONS OF SUPERVISION

You must provide the probation officer with access to any requested financial information and authorize the release of any financial information.

DEFENDANT: JOSHUA SEEKINS
 CASE NUMBER: 3:19-CR-00563-M(1)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments page.

	Assessment	Restitution	Fine	AVAA Assessment*	JVTA Assessment**
TOTALS	\$100.00	\$0.00	\$0.00	\$0.00	\$0.00

- ☐ The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- ☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

- ☐ Restitution amount ordered pursuant to plea agreement \$
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments page may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- | | | |
|---|-------------------------------|--|
| <input type="checkbox"/> the interest requirement is waived for the | <input type="checkbox"/> fine | <input type="checkbox"/> restitution |
| <input type="checkbox"/> the interest requirement for the | <input type="checkbox"/> fine | <input type="checkbox"/> restitution is modified as follows: |

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: JOSHUA SEEKINS
CASE NUMBER: 3:19-CR-00563-M(1)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☐ Lump sum payments of \$ _____ due immediately, balance due
☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal 20 (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
It is ordered that the Defendant shall pay to the United States a special assessment of \$100.00 for Count 1s, which shall be paid immediately. Said special assessment shall be paid to the Clerk, U.S. District Court.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several
See above for Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTa assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.